

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GEORGE AVALOS,

Plaintiff,

v.

BALJIT SINGH SIDHU, NAVJEET
SINGH CAHAL, and KAMALJIT BRAR,

Defendants.

No. 1:20-cv-01602-NONE-SKO

ORDER DIRECTING THE CLERK TO
TERMINATE DEFENDANTS BALJIT
SINGH SIDHU AND NAVJEET SINGH
CAHAL

(Doc. 19)

On February 12, 2021, Plaintiff filed a Notice of Voluntary Dismissal Without Prejudice as to Baljit Singh Sidhu and Navjeet Singh Cahal Only, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A). (Doc. 19.)

In relevant part, Rule 41(a)(1)(A) provides as follows:

[A] plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared.

Fed. R. Civ. P. 41(a)(1)(A). “The plaintiff may dismiss some or all of the defendants, or some or all of his claims, through a Rule 41(a)(1) notice,” and the dismissal “automatically terminates the action as to the defendants who are the subjects of the notice.” *Wilson v. City of San Jose*, 111

1 F.3d 688, 692 (9th Cir. 1997).

2 Plaintiff filed its notice before Defendants Baljit Singh Sidhu and Navjeet Singh Cahal
3 served either an answer or a motion for summary judgment. As such, Plaintiff has voluntarily
4 dismissed Baljit Singh Sidhu and Navjeet Singh Cahal without prejudice and this case has
5 automatically terminated as to those defendants. Fed. R. Civ. P. 41(a)(1)(A). Accordingly, the
6 Clerk of the Court is directed to TERMINATE Defendants Baljit Singh Sidhu and Navjeet Singh
7 Cahal.

8 This case shall remain OPEN pending resolution of Plaintiff's case against the remaining
9 defendant.

10 IT IS SO ORDERED.

11 Dated: February 16, 2021

12 /s/ Sheila K. Oberto
13 UNITED STATES MAGISTRATE JUDGE
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